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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/563,053

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Philippe Regnier

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8161

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7590

06/02/2009

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EXAMINER

PHAM, MINH CHAU THI

ART UNIT

PAPER NUMBER

1797

MAIL DATE

DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/563,053	Applicant(s) REGNIER, PHILIPPE	
	Examiner MINH-CHAU T. PHAM	Art Unit 1797	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

Claim Objections

Claims 1-19 are objected to because of the following informalities: Eventhough the phrase “characterized in that” is acceptable to use, the phrase – comprising – or – including – is acceptable to use in order to comply with the U.S. practice. Appropriate correction is required.

Claims 1-19 are objected to because of the following informalities: Although numerical designations in the claims are permissible, the claims should be defined with proper structural limitations of the elements and their interrelationship with proper nexus. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 7-9 and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Dell (4,306,896).

O'Dell teaches an air filtration plant (2) comprising a filter cartridge (8) which are arranged vertically between two supporting structures (1 and 5), the upper end provided in an upper supporting structure with openings in the form of a plate fitted with openings, and the lower end (22) being attached to a lower supporting structure (27, 28) which includes means (20, 24 in Fig. 2) for fastening (25 in Fig. 3) the filter which is

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suited to enable tensioning at the upper end thereof (see Fig. 2, col. 2, line 57 through col. 3, line 12).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Dell (4,306,896), in view of Noddin (4,244,718).

O'Dell discloses an air filtration plant (2) comprising a filter cartridge (8) which are arranged vertically between two supporting structures (1 and 5), the upper end provided in an upper supporting structure with openings in the form of a plate fitted with openings, and the lower end (22) being attached to a lower supporting structure (27, 28) which includes means (20, 24 in Fig. 2) for fastening (25 in Fig. 3) the filter which is suited to enable tensioning at the upper end thereof (see Fig. 2, col. 2, line 57 through col. 3, line 12). Claims 2-6 and 17 differ from the disclosure of O'Dell in that the filter comprising a ductile ring designed to be attached to the support structure. Noddin discloses a bag filter having a self-sealing cuff at the upper open end (28) or an add-on member in the form of a ductile ring (see Fig. 2) to support the filter element to the support structure, and it being stretched by clamping against the contour of the opening of the upper supporting structure (see details of Figs. 3 & 4, col. 3, lines 20-62). It would have been obvious to a person having ordinary skill in the art at the time the

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invention was made to provide a ductile ring as taught by Noddin in the apparatus of O'Dell since the stretched condition of the ductile ring would facilitate tight fit for the filter element in the opening of the supporting structure, thus, preventing any air leakage or filter bypassing.

Claims 10-13, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Dell (4,306,896), in view of Clements et al (6,676,722 B1).

O'Dell discloses an air filtration plant (2) comprising a filter cartridge (8) which are arranged vertically between two supporting structures (1 and 5), the upper end provided in an upper supporting structure with openings in the form of a plate fitted with openings, and the lower end (22) being attached to a lower supporting structure (27, 28) which includes means (20, 24 in Fig. 2) for fastening (25 in Fig. 3) the filter which is suited to enable tensioning at the upper end thereof (see Fig. 2, col. 2, line 57 through col. 3, line 12). Claims 10-13, 18 and 19 differ from the disclosure of O'Dell in that the filter apparatus comprising a tool for maneuvering the filter element in and out the tubesheet. Clements et al disclose a tool (see 84 in Fig. 10, col. 2, lines 31-36) for a filter element of an air filtration plant (10) comprising a seating element (92), a means for stretching the upper end (86) and a means for maneuvering the stretching means (see Fig. 10, col. 5, lines 37-51). It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide a tool for maneuvering the filter element as taught by Clements et al in the filter apparatus of O'Dell since the tool would effectively provide an easy way to maneuver the filter elements in and out of the tubesheet for routine maintenance or filter change-out.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-CHAU T. PHAM whose telephone number is (571)272-1163. The examiner can normally be reached on Mon/Tues/Thur/Fri 7:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on (571) 272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Minh-Chau T. Pham/
Examiner, Art Unit 1797
May 29, 2009

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